



On June 1, 2018, petitioner filed a Motion for Attorneys' Fees and Costs. Motion for Fees, ECF No. 32. Petitioner requests attorneys' fees in the amount of \$15,831.50 and attorneys' costs in the amount of \$1,167.80 for a total amount of \$16,999.30. *Id.* at 4. In accordance with General Order #9, petitioner's counsel represents that petitioner incurred \$3,157.21 in out-of-pocket expenses. *Id.* Petitioner later amended her request, increasing it to \$4,083.83. *See* ECF No. 35-2.

On June 21, 2018 respondent filed out-of-time response to petitioners' Motion for Fees. Response, ECF No. 33-1. Respondent provided no specific objection to the amount requested or hours worked, but instead, "respectfully recommend[ed] that the Special Master exercise her discretion and determine a reasonable award for attorneys' fees and costs." *Id.* at 3.

The Vaccine Act permits an award of "reasonable attorneys' fees" and "other costs." § 15(e)(1). Based on the reasonableness of the overall sum of petitioner's request,<sup>3</sup> the undersigned GRANTS petitioner's motion for attorneys' fees and costs.

Accordingly, the undersigned **awards the total of \$21,083.13<sup>4</sup> as follows:**

- **\$4,083.83** representing reimbursement for out-of-pocket expenses, in the form of a check made **payable solely to petitioner, Lanesia Shea;** and
- **\$16,999.30** representing reimbursement for attorneys' fees in the amount of \$15,831.50 and costs in the amount of \$1,167.80, in the form of a check made **payable jointly to petitioner and petitioner's counsel, Richard Gage, Esq.**

The Clerk of the Court is directed to enter judgment in accordance with this Decision.<sup>5</sup>

**IT IS SO ORDERED.**

**s/ Mindy Michaels Roth**  
Mindy Michaels Roth  
Special Master

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<sup>3</sup> I have made no determination as to appropriate hourly rates in this matter; I merely conclude that the total sums requested seem reasonable and appropriate.

<sup>4</sup> This amount is intended to cover all legal expenses incurred in this matter. This award encompasses all charges by the attorney against a client, "advanced costs" as well as fees for legal services rendered. Furthermore, § 15(e)(3) prevents an attorney from charging or collecting fees (including costs) that would be in addition to the amount awarded herein. *See generally Beck v. Sec'y of Health & Human Servs.*, 924 F.2d 1029 (Fed. Cir. 1991).

<sup>5</sup> Pursuant to Vaccine Rule 11(a), entry of judgment can be expedited by each party filing a notice renouncing the right to seek review.